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Marc J. Goldstein
Litigation
& Arbitration Chambers

Direct Dial: (212) 799-8600
Mobile: (917) 498-1230

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August 5, 2008

BY ELECTRONIC MAIL

Hon. Paul A. Crotty
United States District Court
Southern District of New York
Daniel P. Moynihan U.S. Courthouse
500 Pearl Street, Suite 735
New York, New York 10007

Re: *T. Co. Metals LLC v. Dempsey Pipe & Supply Co.*, 07 CV 7747 (PAC); *Dempsey Pipe & Supply Co. v. T. Co. Metals LLC*, 07 CV 7749 (PAC) – Dempsey Request for Clarification

Dear Judge Crotty:

I write this letter to seek clarification of your Order today, and also to cure and apologize for my violation of Your Honor's individual practices.

As to the matter of clarification: Your Order today directs entry of judgment in Case 07 CV 7747, in which no judgment had previously been entered. However, while your Order today denied Dempsey's application made by letter on July 16, 2008 to include interest on the attorneys' fees portion of the Award, it does not clearly deal in a dispositive fashion with the motion made July 31 to amend the July 17 Judgment in Case 07 CV 7749. Should we consider that motion as denied, or that it remains *sub judice*, and that T. Co. should make known its position?

As to my violation of the Court's practices, I apologize again for having submitted a letter in e mail rather than PDF format with a signature (assuming this was the violation). I had not intended to submit any letter, but at a time when I had no ability logistically to prepare and send a signed letter in PDF format, and on the last day for filing the Rule 59(e) motion, I discovered that I was ethically bound to bring to the Court's attention controlling Second Circuit authority on the post-judgment interest point, *i.e.* the Carte Blanche case mentioned in my e-mail. I

1230 Avenue of the Americas, 7th Floor New York, New York 10020
Fax: (212) 658-9151 Email: Goldstein@Lexmarc.us
Web: www.lexmarc.us

August 28, 2008
If the parties wish to submit a joint motion in consent for a net money judgment they may do so. The Court adheres to its prior ruling on interest on attorneys' fees. Post judgment interest will be allowed at the statutory rate. 28 USC §1961

As ordered
Paul Crotty

MEMO ENDORSED

MEMO ENDORSED

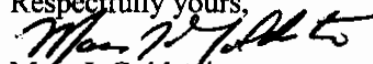
Hon. Paul A. Crotty

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submit an additional copy of my July 31 letter in PDF format with signature, as a remedy of the violation, and also annex copies of the motion papers with the required "Courtesy Copy" markings.

Respectfully yours,



Marc J. Goldstein

cc. Alfred J. Kuffler, Esq. (by E Mail)